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27 Proposed Attorneys for Debtor

28 UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF NEVADA

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21 IN RE:  
22 SIERRA CHEMICAL CO., a Nevada  
23 domestic corporation,

Case No. 17-51019-btb

(Chapter 11)

24 **OMNIBUS MOTION FOR ORDER  
25 SHORTENING TIME FOR HEARING  
ON FIRST DAY MOTIONS**

26 Debtor.

Hearing Date: N/A  
Hearing Time:  
Est. Time:  
Set By:

## **SUMMARY IMPACT OF REQUEST TO SHORTEN TIME**

**The subject Motions on which an Order Shortening Time is requested herein will have a 30 – 45 minute impact on the Court's calendar.**

SIERRA CHEMICAL CO., a Nevada domestic corporation (collectively the “Debtor”), by and through its proposed attorneys STEPHEN R. HARRIS, ESQ. of HARRIS LAW PRACTICE LLC and BARBARA L. YONG, ESQ., ROBERT R. BENJAMIN, ESQ., CAREN A. LEDERER, ESQ., BEVERLY A. BERNEMAN, ESQ., and ANTHONY J. D’AGOSTINO, ESQ., of GOLAN CHRISTIE TAGLIA, hereby move and represent as follows:

1. Debtor filed a Voluntary Petition for Chapter 11 relief on August 30, 2017. No trustee has been appointed and Debtor acts as Debtor-in-Possession herein.

2. Debtor is in the business of manufacturing and distributing environmental chemicals for municipal, industrial and mining markets, supplying water treatment plants, agricultural facilities and food processors with essential chemicals from its production bases. The headquarters for the Debtor's business is located in Sparks, Nevada, and Debtor has a production base in Stockton, California. As of the Petition Date, the Debtor collectively employs approximately 48 employees.

3. On August 30, 2017, Debtor filed the following Motions:

- EMERGENCY MOTION FOR ORDER AUTHORIZING DEBTOR TO PAY WAGES, SALARIES, BENEFITS, REIMBURSABLE BUSINESS EXPENSES, CRITICAL VENDORS AND OTHER OBLIGATIONS, AUTHORIZING DEBTOR TO PAY CRITICAL VENDORS, AND AUTHORIZING FINANCIAL INSTITUTIONS TO HONOR AND PROCESS CHECKS AND TRANSFERS RELATED TO SUCH OBLIGATIONS (“Pay Wages and Critical Vendor Motion”); and
- EMERGENCY MOTION FOR ORDER AUTHORIZING MAINTENANCE OF PREPETITION BANK ACCOUNTS AND FOR APPROVAL OF

1                   INTERCOMPANY CASH MANAGEMENT SYSTEM (“Bank Account  
2 Motion”).

3                  4. The Pay Wages and Critical Vendor Motion seeks an Order authorizing the  
4 Debtor to pay wages, salaries, garnishments, benefits, reimbursable business expenses, and  
5 other employee obligations, including workers’ insurance matters, and its Critical Vendors, as  
6 well as authorizing and directing financial institutions to honor and process checks and transfers  
7 related to such obligations. Continued payment of Wage Obligations, Employee Benefit  
8 Contributions, and Reimbursable Business Expenses, and maintaining its worker’s  
9 compensation insurance, and Critical Vendor relationships are essential for the Debtor to  
10 preserve the morale and to maintain positive relations between the Debtor and its Employees, as  
11 well as allow it to continue operating.

12                 5. The Bank Account Motion seeks an Order authorizing the Debtor to continue to  
13 utilize their existing bank accounts (collectively, the “Bank Accounts”) post-petition, and to  
14 authorize the continued use of the Debtor’s cash management system, including intercompany  
15 funds transfers. Uninterrupted use of the Bank Accounts is essential for the Debtor’s continued  
16 status of staying in business as a going concern.

17                 6. Time is of the essence in hearing the Motions because the employees must be  
18 timely paid their wages, salaries and bonuses. Additionally, the relief requested in the Bank  
19 Account Motion is vital to the Debtor’s continued business operations to avoid irreparable harm  
20 to the Debtor in lost business opportunities and revenues due to the inability to pay ongoing  
21 operating expenses and Critical Vendors. Simply stated, without immediate access to its  
22 operating cash and bank accounts, the Debtor cannot continue to operate. In light of the  
23 emergency nature of the relief requested in the Motions, the Debtor would request a hearing  
24 date of September 6 or 7, 2017 in the afternoon, or as soon thereafter as can be accommodated  
25 by the Court.

26                 7. Debtor will provide notice of the Pay Wages and Critical Vendors Motion and  
27 Bank Account Motion via email or facsimile to the Debtor’s secured creditor, the Office of the  
28 United States Trustee, the financial institution holding the Bank Accounts affected by the

1 Debtor's Bank Account Motion, the Internal Revenue Service, and the creditors holding the  
2 twenty largest unsecured claims. If the Debtor cannot obtain the email address or facsimile  
3 number for any of the twenty largest unsecured creditors for each Debtor, then notice shall be  
4 given via regular U.S. Mail unless this Court instructs that notice must be provided via  
5 overnight delivery.

6 WHEREFORE, Debtor respectfully requests that this Court enter an order shortening the  
7 time for notice of hearing with respect to their EMERGENCY MOTION FOR ORDER  
8 AUTHORIZING DEBTOR TO PAY WAGES, SALARIES, BENEFITS, REIMBURSABLE  
9 BUSINESS EXPENSES, CRITICAL VENDORS AND OTHER OBLIGATIONS,  
10 AUTHORIZING DEBTOR TO PAY CRITICAL VENDORS, AND AUTHORIZING  
11 FINANCIAL INSTITUTIONS TO HONOR AND PROCESS CHECKS AND TRANSFERS  
12 RELATED TO SUCH OBLIGATIONS and EMERGENCY MOTION FOR ORDER  
13 AUTHORIZING MAINTENANCE OF PREPETITION BANK ACCOUNTS AND FOR  
14 APPROVAL OF INTERCOMPANY CASH MANAGEMENT SYSTEM, so that such hearings  
15 may be held by this Court on September 6 or 7, 2017 in the afternoon, or as soon thereafter as  
16 may be convenient to this Court's calendar; and for such other and further relief as the Court  
17 deems just under the circumstances.

18 Dated this 30<sup>th</sup> day of August, 2017.

19 /s/ *Barbara L. Yong*  
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Proposed Attorneys for Debtor